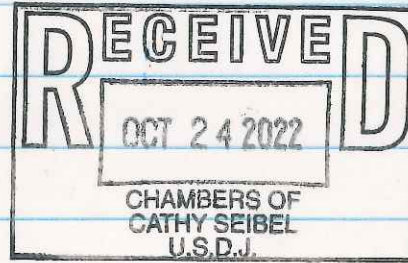


MEMO ENDORSED

From LA VETTE Todd
 ELMIRA CF P.O. Box 500
 1879 DAVIS ST.
 ELMIRA N.Y. 14902



Oct. 18, 2022

The Honorable Cathy Seibel
 United States District Judge
 Southern District of New York
 300 QUARROPAS ST.
 White Plains, N.Y. 10601-4150

RE: Todd v. Colombos, SDNY
 21 CIV. 5226 (CS)

Dear Judge Seibel,

On October 14, 2022, I received a copy of the Attorney General's office sent you dated Oct. 12, 2022. Mentionable, The A.G. has pointed out that I was supposed file an opposition by 12th 2022 with the defendant's reply due on August 26, 2022.

I am pretty sure, as you know, that all my legal work was confiscated in connection with this civil case, among other legal work, in retaliation by correctional staff. (See copy of my May 1st 2022 letter to you.)

Clearly, I absolutely cannot move forward until the Dept. of Corrections returns all my legal work. I kind thought it was useless to ask for extensions, when what I need is for one lasting suspension, until I get the rest of the needed paperwork. Even though I was to do my Amended Complaint. I still need all the paperwork that DOCCS has confiscated, by which your honor ordered the A.G. to supply.

So for me to do a thorough job of opposing the defendant's motion + reply, I need all my research, notes and important related documents, that I have meticulously compiled, for that such reason

cc: Attorney General.
FILE

Sincerely yours

After Plaintiff's 5/1/22 letter I extended his time to file his Amended Complaint, which he managed to do. He never asked for or received an extension for his opposition to the motion. As he knows, DOCCS denies confiscating anything, so Plaintiff will have to do the best he can with what he has. An open-ended extension will accomplish nothing. I will give Plaintiff until 11/15/22 to file opposition to the motion. No extensions.

X Lawrence Todd

So Ordered.

Cathy Seibel
Cathy Seibel, U.S.D.J.

Dated: 10/25/22

RECEIVED
SDNY PRO SE OFFICE

May 1, 2022

To: Judge Cathy Seibel
United States District Court
Southern District of New York
Charles L. Brient, Jr.
Federal Building and United States Courthouse
300 Quarropas Street
White Plains, N.Y. 10601

From: Lavelle Todd #11A0846
Upstate Correctional Facility
P.O. Box 2001
Malone, N.Y. 12953

RE: Lavelle Todd V. A. Colombos case#: 7:21-cv-05226-CS

Dear Judge Cathy Seibel,

I have a deadline to Submit my Amended complaint by 5/12/22. I ask the courts for another extension to file my Amended Complaint due to staff here in Upstate Corr. facility confiscating all of my legal papers and property that was in my cell and the staff still haven't given me my legal papers and property that was confiscated out of my cell on April 7th or April 8th of 2022. All of my legal papers was confiscated, not just the legal papers for this case but also all the legal papers for my criminal case as well which consist of Grand Jury transcripts, pre-trial hearing transcripts, trial transcripts, sentencing transcripts, Appeal brief, 440 motions, all legal mail from my lawyers, etc...

On April 14, 2022 there was a order that the Attorney General shall ensure that Plaintiff's legal papers are returned to him unless there is a legitimate penological reason to withhold them. I was assaulted on April 7, 2022 while I was handcuffed behind my back and this is not a legitimate penological reason to withhold my

Legal papers and it is also not a reason to confiscate all of my legal papers and property out my cell. I'm not sure if the Attorney General contacted Upstate Corr. Facility about all of my legal papers being returned to me but my legal papers still haven't been returned to me. I'm requesting for an extension to file my Amended complaint and this is my second request for an extension for staff confiscating all of my legal papers out of my cell and I request for an investigator to come to the facility and speak to me and view the camera's to see what staff confiscated my legal papers out of my cell and investigate this situation so I can get all of my legal papers back because all of my legal papers for my criminal case was confiscated as well and my criminal case is also open at the moment. Thankyou for your time.

Respectfully,
Lavelle Todd #11A0846
Lavelle Todd #11A0846

Plaintiff's Amended Complaint due 6/13/22. The Court will send Plaintiff copies of his original Complaint and of Defendant's pre-motion letter, to assist Plaintiff in preparing his Amended Complaint. Defendant's motion to dismiss (or answer) to be submitted by 7/12/22. Plaintiff's opposition to motion to be submitted by 8/12/22. Defendant's reply to be submitted by 8/26/22. The Attorney General shall report to this Court, no later than 5/20/22, as to whether prison officials confiscated Plaintiff's legal papers; if so, why; and why they have not been returned. The Clerk shall send a copy of this text order, and of ECF Nos. 1 and 13, to Plaintiff.

SO ORDERED.

Cathy Seibel
CATHY SEIBEL, U.S.D.J.

5/6/22



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

LETITIA JAMES
ATTORNEY GENERAL

DIVISION OF STATE COUNSEL
LITIGATION BUREAU

Writer's Direct Dial: (212) 416-6359

October 12, 2022

BY ECF:

The Honorable Cathy Seibel
United States District Judge
Southern District of New York
300 Quarropas Street
White Plains, New York 10601-4150

Re: Todd v Colombos, SDNY 21 Civ. 5226 (CS)

Dear Judge Seibel:

This Office represents Officer Colombos ("Defendant") in the above-referenced matter. On July 12, 2022, Defendant served their Motion to Dismiss upon Plaintiff. As indicated in our filing on August 19, 2022 (ECF # 31), the undersigned sent Plaintiff a second courtesy copy of the Motion to Dismiss to Elmira Correctional Facility on August 18, 2022, to which Plaintiff was transferred on or around July 18, 2022 (ECF # 30). Pursuant to the Court's May 6, 2022 Order (ECF # 24), Plaintiff's opposition was due on August 12, 2022, while the Defendant's reply memorandum would be due on August 26, 2022. To date, this Office has not yet received opposition papers from Plaintiff, or any other responsive documents regarding the Defendant's motion. Moreover, a review of the Docket indicates Plaintiff also has not sought any extensions of his time to serve responsive papers. Therefore, it is respectfully requested that the Court deem the Defendant's motion fully briefed.

Respectfully submitted,

S/ Andrew Blancato

Andrew Blancato

Assistant Attorney General

Andrew.Blancato@ag.ny.gov

ELMIRA CORRECTIONAL FACILITY
P.O. BOX 500
ELMIRA, NEW YORK 14902-0500

ELMIRA
CORRECTIONAL
FACILITY

elmira



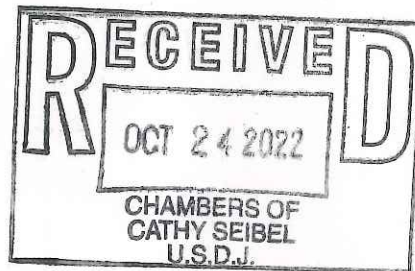
Correctional Facility

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ZIP 14901
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NAME: Lavelle Todd DIN: 11A0846



Honorable Cathy Seibel.
U.S. District Judge.
S.D. N.Y.

300 QUARROPOS ST.

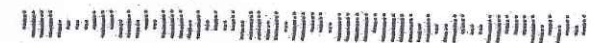
White Plains, NY 10601-4150



ECF
Privileged Legal Materials

LEGAL MAIL

1060134150 C004



NEW YORK STATE
DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION
INCARCERATED INDIVIDUAL CORRESPONDENCE PROGRAM

NAME: Lovelle Todd DIN: 11A0846

